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DATE: July 28, 2005 NO. OF PAGES: 5
(Including Cover Sheet)

TO: Commissioner for Patents, USPTO FAX #: 571-273-8300
MAIL STOP PETITION

FROM: Jacqueline S. Larson PHONE #: (408) 615-0502
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CONFIRMATION COPY TO FOLLOW: YES ___ NO X

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CERTIFICATE OF TRANSMISSION

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Date: July 28, 2005J Larson
Jacqueline S. Larson

In re Application of: Garth MEIER et al.
Serial No.: 10/826,055
Filed On: 04/16/2004

Atty. Docket No.: MEIE-003P

Commissioner for Patents - MAIL STOP PETITION
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The following are forwarded herewith for filing in the above referenced application:

- Petition for Revival of Application Abandoned for Failure to Notify of A Foreign Filing (37 CFR 1.137(f))
- Rescission of Previous Nonpublication Request
- Credit Card Payment Form PTO-2038 for payment of unintentional abandonment petition fee

Respectfully submitted,

Jacqueline S Larson
Jacqueline S. Larson, Reg. No. 30,279
Attorney for Applicant(s)Dated: July 28, 2005

P. 2

PTO/SB/64a (07-05)

Approved for use through 07/31/2008. OMB 0651-0031
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Docket Number (Optional)

MEIE-003P

Title: Ice Block Delivery Device Containing Active Agent, and Applicator Therefor

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned pursuant to 35 U.S.C. 122(b)(2)(B)(iii) for failure to timely notify the Office of the filing of an application in a foreign country or under a multinational international treaty that requires publication of applications eighteen months after filing. The date of abandonment is the day after the expiration date of the forty-five (45) day period set in 35 U.S.C. 122(b)(2)(B)(iii).

PURSUANT TO 37 CFR 1.137(f), APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION
UNDER 37 CFR 1.137(b)

☒ Small entity-fee \$ 750 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☐ Other than small entity – fee \$ _____ (37 CFR 1.17(m)).

07/29/2005 TL0111 00000021 10826055

01 FC:2453

2. Notice of Foreign or International Filing (35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c))

750.00 00

Subsequent to the filing of the above-identified application, an application was filed in another country, or under a multinational international treaty (e.g., filed under the Patent Cooperation Treaty), that requires publication of applications eighteen months after the filing. The filing date of the subsequently filed foreign or international application is 02/18/2005.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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STATEMENT: The entire delay in filing the required notice of a foreign or international filing from the due date for the required notice until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

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Jacqueline S Larson
Signature

July 28, 2005
Date

Jacqueline S. Larson
Typed or printed name

30.279
Registration Number, if applicable

P.O. Box 2426
Address

408-615-0502
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Enclosures: ☒ Fee Payment - FORM PTO-2038

☐ Additional sheets containing statements establishing unintentional delay

☒ Other: RESCUSSION OF NONPUBLICATION REQUEST

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

☒ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

July 28, 2005
Date

Jacqueline S Larson
Signature

Jacqueline S. Larson
Typed or printed name of person signing certificate